



3

ROXANNE T. DANERI, S.B. No. 067790
ROXANNE T. DANERI, P.C.
555 University Avenue, Suite 114
Sacramento, California 95825
Telephone 916/564-6222
Facsimile 916/564-6252
e-mail rdaneri@sbcglobal.net
Attorney for Creditor
THE GOLDEN 1 CREDIT UNION

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

In the Matter of

RONALD E. MATZ,
STACEY L. MATZ,

Debtors.

Case No. 08-31521-B-7
DC No. RTD-1

**STIPULATION BETWEEN DEBTORS AND CREDITOR TECHNOLOGY
CREDIT UNION GRANTING CREDITOR TECHNOLOGY
CREDIT UNION RELIEF FROM THE AUTOMATIC STAY**

Creditor and Debtors agree as follows:

1. On August 18, 2008 the Debtors filed the above-captioned petition for relief under Chapter 13 and relief was duly granted.
2. At the time of filing the petition, TECHNOLOGY CREDIT UNION was a secured creditor of the Debtors.
3. Creditor is the holder of two deeds of trust secured by the real property commonly known as 3621 Sunview Drive, Paradise, California. Both deeds of trust have been duly recorded.
4. Creditor duly filed Proofs of Claim for both obligations.
5. According to the Proof of Claim for the first deed of trust held by this Creditor, which claim is designated as Claim #4, the total amount due was \$375,761.84, the arrears were \$16,865.05, and the payments were due for

February 1, 2008 on the date of filing of the petition.

6. According to the Proof of Claim for the second deed of trust held by this Creditor, which claim is designated as Claim #5, the total amount due was \$75,798.09, the arrears were \$2,431.89, and the payments were due for February 7, 2008 on the date of filing of the petition.

7. The real property taxes secured by the property are delinquent for fiscal year 2007-2008. The amounts due are the two installments of \$2,209.68 each, plus penalties and interest.

8. On May 8, 2008 this Creditor recorded a Notice of Default.

9. On August 14, 2008 this Creditor recorded a Notice of Trustees Sale.

10. The trustees sale was continued and was not held as scheduled due to the filing of the petition.

11. On Schedule A the value of the real property is listed as \$315,000 based on a report dated April 14, 2008 and prepared by Kimberly Higby, Broker.

12. Attached to the Proofs of Claim filed by Technology Credit Union was a Competitive Market Analysis dated August 13, 2008 by Norbert Kominsky of Lighthouse Real Estate Solutions. He estimated the As Is Value as \$400,000 and the list price as \$412,000.

13. The parties jointly obtained a Uniform Residential Appraisal Report from Russell M. Sunn. He estimated the value of the property to be \$450,000 as of August 18, 2008.

14. The Debtors have no equity in the property.

15. It is the intent of the Debtors to surrender the real property.

Based on the foregoing, IT IS HEREBY STIPULATED by and between Creditor TECHNOLOGY CREDIT UNION and the Debtors, and by the trustee JOHN W. REGER, that the automatic stay may be lifted as to TECHNOLOGY CREDIT UNION to foreclose and to obtain possession of the real property known as 3621 Sunview Drive, Paradise, California and that an Order may be entered in

1 accordance with this Stipulation.

2
3 DATED: November 29, 2008

TECHNOLOGY CREDIT UNION

4
5 By: /s/ Roxanne T. Daneri
6 ROXANNE T. DANERI, Attorney for Creditor

7
8 DATED: December 19, 2008

/s/ Ronald E. Matz
RONALD E. MATZ, Debtor

9
10
11 DATED: December 19, 2008

/s/ Stacey L. Matz
STACEY L. MATZ, Debtor

12
13 DATED: December 19, 2008

JACOBS, ANDERSON, POTTER & CHAPLIN

14
15 By: /s/ Douglas B. Jacobs
16 DOUGLAS B. JACOBS, Attorney for Debtors

17
18 DATED: December 19, 2008

/s/ John W. Reger
JOHN W. REGER, Trustee